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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,267	12/20/2001	Sandeep Singhai	PA020093	6519

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Qualcomm Incorporated
Patents Department
5775 Morehouse Drive
San Diego, CA 92121-1714

EXAMINER

EWART, JAMES D

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,267

Applicant(s)

SINGHAI ET AL.

Examiner

James D Ewart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2, 4 and 5 is/are allowed.
- 6) ☒ Claim(s) 3 is/are rejected.
- 7) ☐ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5 and 7.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Objections

1. Claim 1 is objected to because of the following informalities: "if an IP packet network is ***note*** transferred within the predetermined" should be "if an IP packet network is ***not*** transferred within the predetermined". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 recites the limitation "the registration lifetime". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

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reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claim 3 is rejected under 35 U.S.C. 102(e) as being anticipated by Bergenwall et al. (U.S. Patent No. 6,567,664).

Referring to claim 3, Bergenwall et al. teaches an apparatus for registering a mobile node operating in a visited network (Column 1, Lines 6-8), comprising: registration means for performing an initial registration (Column 4, Lines 32-39) and subsequent re-registrations of the mobile node with a foreign agent in the visited network (Column 7, Lines 26-38); and timing means for use with the registration means (Column 7, Lines 1-34), wherein the registration means uses the timing means to determine whether to follow a standard protocol (Column 7, Lines 26-38) or to disregard the standard protocol, wherein disregarding the standard protocol is to refrain from performing the re-registration of the mobile node (Column 7, Lines 1-8).

Allowable Subject Matter

4. Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph and the objection to the misspelling of “not”, set forth in this Office action. The following is an examiner’s statement of reasons for allowance:

Referring to claim 1, the references cited do not teach wherein re-registering with a foreign agent is based upon IP packet transmission, wherein if an IP packet transmission is not transferred within the predetermined time period, then refraining from performing a re-

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registration with the foreign agent, wherein refraining from performing the re-registration is contrary to the standard protocol; and if an IP packet is transferred after the predetermined time period expires and before the registration lifetime expires, then transmitting a re-registration request.

5. Claims 2, 4 and 5 are allowed. The following is an examiner's statement of reasons for allowance:

Referring to claim 2, the references cited do not teach wherein re-registering with a foreign agent is based upon IP packet transmission, wherein an apparatus refrains from performing a re-registration if a pre-determined period, which is less than the registration lifetime, has expired and no packet has been transmitted or received at the mobile node; and performing a re-registration only if a packet is transmitted or received after a successful registration and before the expiration of the registration lifetime.

Referring to claim 4, the references cited do not teach wherein re-registering with a foreign agent is based upon IP packet transmission, wherein if an IP packet is transferred between the mobile node and the foreign agent within a predetermined time period, then following a standard protocol; if an IP packet is not transferred within the predetermined time period, then refraining from performing a re-registration with the foreign agent, wherein refraining from performing the re-registration is contrary to the standard protocol; and if an IP packet is transferred after the predetermined time period and before the expiration of a registration lifetime, then transmitting a re-registration request.

Referring to claim 5, the references cited do not teach a method wherein re-registering with a foreign agent is based upon IP packet transmission, wherein the method comprises refraining from performing a re-registration if a pre-determined period, which is less than the registration lifetime, has expired and no packet has been transmitted or received; and performing a re-registration only if a packet is transmitted or received after the expiration of the pre-determined period and before the expiration of the registration lifetime.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Heller U.S. Patent Publication No. 2002/0147837 discloses proxy mobile node capability for mobile IP.

Jakobsen et al. U.S. Patent No. 6,374,108 discloses assigning an IP address to a mobile station while roaming.

Khalil et al. U.S. Patent No. 6,578,085 discloses system and method for route optimization in a wireless internet protocol network.

Leung U.S. Patent No. 6,195,705 discloses mobile IP mobility agent standby protocol.

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Sharma et al. U.S. Patent Publication No. 2003/0031151 discloses system and method for secure roaming in wireless local area networks.

Thomas U.S. Patent No. 6,363,430 discloses methods and systems for providing an abstract addressing service to customers in a communication network.


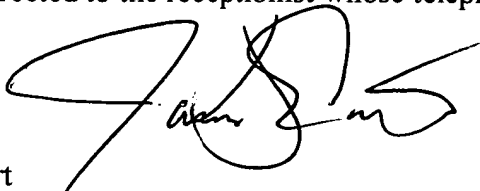
Willkie et al. U.S. Patent No. 6,230,012 discloses IP mobility support using proxy mobile node registration.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D Ewart whose telephone number is (703) 305-4826. The examiner can normally be reached on M-F 7am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703)308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Ewart
June 29, 2004



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600